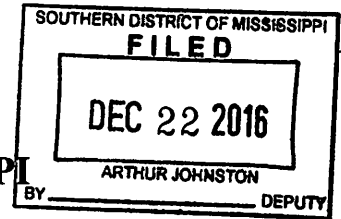


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**



DOUGLAS HANDSHOE

v.

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A/ TROUT
POINT LODGE LTD OF NOVA SCOTIA
& IN THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS & ASHOKA

CIVIL ACTION NO. 1:15cv382-HSO-JCG

**AFFIDAVIT IN SUPPORT OF PLAINTIFF'S RESPONSE TO ORDER TO SHOW
CAUSE WHY DEFENDANT DANIEL ABEL SHOULD NOT BE DISMISSED**

I, Douglas Handshoe, declare under penalty of perjury that the following facts are true and correct to the best of my information and belief:

1. I am the Plaintiff in this action.
2. Attached as Exhibit 1 to this Affidavit is a true and correct copy of the Affidavit of Christopher M. G'Sell, Esquire, who currently represents Plaintiff in the inactive Louisiana civil litigation initiated by Daniel Abel.
3. On or about November 12, 2015, Plaintiff became aware that Abel was no longer accepting official Court mail at his address of record at 2421 Clearview Parkway, Metairie Louisiana, 70001. Abel did not update the Court with a new address.¹

¹ See Southern Mississippi District case number 14cv159-KS-MTP, ECF numbers 67,68, 71, 72, 78, 86-90, 95 & 96. Plaintiff previously attached ECF #95 dated February 18, 2016, as a representative specimen of the Court's mail being returned to Plaintiff's original motion for an extension of time dated September 15, 2016.

4. On November 26, 2015, Abel wrote a letter to the litigants in his New Orleans Civil District Court Defamation action. His letterhead listed no physical address. This letter is attached as Exhibit 2 and it is a true and correct copy of it.
5. On February 18, 2016, mail from this Honorable Court sent to Abel at his address of record at 2421 Clearview Parkway, Metairie Louisiana, 70001 was returned.²
6. On February 24, 2016 Abel filed a response to a Defense pleading in his New Orleans Civil District Court Defamation action against instant Plaintiff and Plaintiff's former attorneys. In that response Abel listed his address as 2421 Clearview Parkway, Suite 106, Metairie Louisiana 70001 despite not accepting mail from the Mississippi Courts at that address. Abel's response to the Truitt Motion to Re-Set Bond for Costs is attached as Exhibit 3 and it is a true and correct copy of it.
7. On May 27, 2016 Abel and Trout Point Lodge, Charles Leary and Vaughn Perret used the 2421 Clearview Parkway, Metairie Louisiana address in filings with the United States Bankruptcy Court.³
8. On June 7, 2016 Plaintiff was given the Court's permission to file a Second Amended Complaint.
9. That on or about June 9, 2016, on Mr. G'Sell's recommendation, Plaintiff engaged a private investigator regularly used by Mr. G'Sell⁴ to locate Daniel Abe's whereabouts in the New Orleans metropolitan area.
10. That on June 10, 2016 at 12:35 p.m., I was contacted by the private investigator via text message. By sheer happenstance Mr. G'Sell and the Private Investigator found

² Id.

³ United States Bankruptcy Case Number 15-50963-KMS, ECF Nos. 92-2 and 93-1

⁴ Plaintiff refers to his private investigator generically in order to preserve his anonymity so that he can continue working to locate Defendant Abel's for service of process.

themselves sharing the dining room at the Metairie location of the New Orleans Hamburger and Seafood Company with Abel. Mr. G'Sell's account of the encounter is attached at Exhibit 1.

11. On or about June 29, 2016 Plaintiff was advised by another private investigation firm, JSI Investigations of Slidell Louisiana, that Abel was no longer domiciled at the 2421 Clearview Parkway address.⁵

12. On or about July 17, 2016, Plaintiff engaged the G'Sell PI to conduct detailed surveillance on three different locations in the New Orleans Metropolitan area to locate Abel's whereabouts as follows:

- 09/15 Clearview Parkway + Lake Ave/Metairie & Hillary St. New Orleans
- 09/14 Clearview Parkway + Lake Ave/Metairie & Hillary St. New Orleans
- 09/11 Clearview Parkway + Lake Ave/Metairie
- 09/09 Clearview Parkway + Lake Ave/Metairie
- 08/03 Clearview Parkway + Lake Ave/Metairie
- 07/29 Clearview Parkway + Lake Ave/Metairie
- 07/28 Clearview Parkway + Lake Ave/Metairie
- 07/15 Clearview Parkway + Lake Ave/Metairie
- 07/17 Clearview Parkway + Lake Ave/Metairie

13. On or about September 28, 2016, Plaintiff engaged the G'Sell PI to conduct detailed surveillance and effect service of process on Abel at three different locations in the New Orleans Metropolitan area as follows:

- 12/10 Jeanette Street New Orleans
- 12/09 Jeanette Street New Orleans & Clearview Parkway Metairie
- 11/15 Clearview Parkway Metairie
- 11/03 Clearview Parkway Metairie
- 11/02 Clearview Parkway Metairie
- 10/21 Clearview Parkway + Lake Ave/Metairie
- 10/18 Clearview Parkway Metairie
- 10/17 Clearview Parkway Metairie

⁵ Plaintiff retained JSI to serve the summons and complaint on Abel until September 23, 2016.

10/15 Clearview Parkway + Lake Ave/Metairie
10/14 Clearview Parkway + Lake Ave/Metairie
10/12 Clearview Parkway + Lake Ave/Metairie
10/10 Clearview Parkway + Lake Ave/Metairie
10/03 Clearview Parkway + Lake Ave/Metairie

14. On or about October 21, 2016 Plaintiff was advised by the G'Sell Private Investigator that based upon his surveillance and numerous attempts to serve the summons on Abel, that Abel is still domiciled, at least in part, at 2421 Clearview Parkway, Suite 106, Metairie, Louisiana and is evading service of process.

15. Plaintiff's attempts to locate Abel for service of the Summons and the Second Amended Complaint are ongoing.

Further the affiant sayeth not.

Respectfully submitted this 21st day of December, 2016,



Douglas Handshoe
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earning04@gmail.com

State of Mississippi
County of Hancock

Sworn before me on the 21st day of December, 2016.

Notary Public

State of Mississippi, County of Hancock

Personally appeared before me, the undersigned

authority in and for the said county and state,

on this 20th day of December 2016, within

my jurisdiction, the within named Douglas Kyle Handshoe

who acknowledged that He executed the

above and foregoing instrument.



My Commission Expires Dec. 31, 2019

Timothy A. Kellar
Chancery Clerk

Shana PC
Jordan

CERTIFICATE OF SERVICE

I, Douglas Handshoe, hereby certify that on December 22, 2016 the foregoing was sent for electronically filing by me via the Clerk of the Court using the ECF system which sent notification to all counsel of record upon filing by the Clerk.

Respectfully submitted this 22nd day of December, 2016,



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